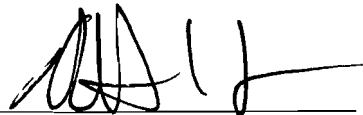


JUNE 13, 2008

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON JUNE 13, 2008, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 5:00 P.M. ON JUNE 13, 2008.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGE 1 TO 8; SURFACE ACTIONS AS LISTED ON PAGES 8 TO 29; DEVELOPMENT ACTIONS AS LISTED ON PAGES 30 TO 38; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 38.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 5:00 P.M. ON FRIDAY, JUNE 27, 2008. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR  
SCHOOL AND INSTITUTIONAL  
TRUST LANDS ADMINISTRATION



LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

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## MINERAL ACTIONS

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### **AMENDMENT AND RESTATEMENT OF GEOTHERMAL RESOURCES LEASE NO. ML 50921 (SCH: 2132.25; DEAF: 40.00)**

#### Summary:

Geothermal Resources Lease ML 50921 is being amended and restated, by mutual agreement, to provide for the calculation of production royalties on the basis of gross electricity sales from a geothermal generating plant to be located on the subject lease, in lieu of current lease language concerning royalty calculation. The lease restatement also provides that the initial readjustment of the lease terms will occur on the twentieth anniversary of the lease rather than in year ten, and provides for a number of other clarifications to the lease language.

#### Background:

ML 50921 was issued through the over-the-counter lease process to Raser Technologies, Inc. ("Raser") as lessee, effective July 1, 2007. Raser has received permits for construction of a 10 megawatt binary geothermal electric generation plant on the leased premises, together with drilling of geothermal brine production and reinjection wells. Raser has indicated interest in constructing an additional similar facility on other portions of the leased premises.

Pursuant to the Energy Policy Act of 2005 ("EPACT"), Congress amended the Geothermal Steam Leasing Act which governs geothermal leasing on federal lands. The EPACT legislation directed the Bureau of Land Management to provide a simplified royalty structure that would allow for calculation of geothermal production royalties on electricity sales from geothermal electric generation rather than the prior federal method of using a 10% royalty; but calculating the value of geothermal steam at the wellhead, which required complex netback accounting. A BLM study dated January 21, 2007, entitled *Geothermal Development on Federal Lands: Projection of Royalty Impacts Resulting from the Energy Policy Act of 2005*, determined that an initial production royalty of 1.75% on gross electric sales, with the royalty rate rising to 3.5% of electric sales at year ten, would produce essentially equal royalty revenue to the lessor while eliminating substantial accounting and audit costs associated with the 10% royalty on steam. The conclusions of this study were adopted by the Minerals Management Service in revised federal regulations set forth at 72 Federal Register 24448 (May 2, 2007) codified at 30 C.F.R. Part 206, Subpart h.

By letter dated March 12, 2008, Raser requested that TLA adopt the revised federal royalty schedule for ML 50921. Raser indicated that the current Trust royalty rate of 10% would place the Trust at a significant competitive disadvantage to federal lands in the location of geothermal facilities. In evaluating Raser's proposal, TLA staff also reviewed multiple private geothermal leases. Raser provided copies of private leases covering each of its project areas for review. TLA staff also reviewed information available from SEC filings submitted by public geothermal developers and information obtained by outside legal counsel. TLA also obtained Raser's electric sales contract with the purchaser of power from the proposed plant. After review of this information, and negotiation with Raser, TLA agreed, subject to approval by the Director, to amend ML 50921 to provide for a 2.25% royalty on gross electric sales (as defined by federal regulations) for the first five years of the lease, and 3.5% thereafter. The initial rate is approximately 28% higher than the initial federal rate and 12.5% higher than private leases directly adjoining the leased property. The adjusted rate of 3.5% is consistent with almost all private leases reviewed, and will apply five (5) years sooner than BLM lands. TLA staff believes that the revised royalty rates are both consistent with fair market value and will encourage development of a valuable resource on trust lands.

**AMENDMENT AND RESTATEMENT OF GEOTHERMAL RESOURCES LEASE NO. ML 50921  
(SCH: 2132.25; DEAF: 40.00) (CONTINUED)**

In the event that Raser does produce and sell steam or byproducts, royalty rates will be maintained at 10% and 5%, respectively. Raser may use electricity generated from its plant for onsite process use without royalty. The amended lease also contains strengthened provisions in the event that non-arms-length product sales occur.

TLA also agreed to extend the date for the first lease readjustment to twenty years from the effective date of the lease, rather than ten years. The proposed facility to be constructed by Raser on the leased lands will cost in excess of \$40 million, and will be financed commercially for a term in excess of ten years. TLA staff concurred that an unlimited right to readjust during the term of financing could eliminate or interfere with Raser's ability to obtain financing, and thus cause the loss of production royalties which are expected to exceed \$150,000 per annum at the initial royalty rate.

**Agency Action:**

Upon recommendation of Mr. Tom Faddies and Mr. John Andrews, the Director approved the amendment and restatement of ML 50921 with the following key provisions:

Royalty on power sales: 2.25% of gross proceeds, as defined in 30 C.F.R. § 206.351 (2007), of the sale of electric power for the first five years of the lease term [July 1, 2007 – June 30, 2012], and three and one-half per cent (3½ %) thereafter.

Readjustment: First readjustment will be July 1, 2027, and then every ten years thereafter.

Other Provisions: Consult amended and restated ML 50921.

Upon recommendation of Mr. Tom Faddies and Mr. John Andrews, the Director approved the amendment and restatement of Geothermal Resources Lease No. ML 50921.

**TOTAL ASSIGNMENTS – OIL SHALE LEASES**

Upon recommendation of Mr. Blake, the Director approved the assignment of the leases listed below to Enshale, Inc., 299 East 950 South, Orem, UT 84058, by Bullion Monarch Mining, Inc. No override.

**OWNERSHIP BEFORE ASSIGNMENT:**

***RECORD TITLE:***

***BULLION MONARCH MINING, INC. - 100%***

**OWNERSHIP AFTER ASSIGNMENT:**

***RECORD TITLE:***

***ENSHALE, INC. – 100%***

...ML 50142 (SCH)...ML 50145 (SCH)....ML 50146 (SCH)...ML 50147 (SCH)...ML 50148 (SCH)....

**METALLIFEROUS MINERALS LEASE APPROVAL**

Upon recommendation of Mr. Stokes, the Director approved the Metalliferous Minerals lease application listed below at a minimum annual rental rate of \$500 per lease or \$1 per acre, whichever is greater. The production royalty, as provided in the lease form, approved by the Director of the Trust Lands Administration, is 8% for fissionable minerals and 4% for non-fissionable minerals - based on the gross value of the ore. The land status has been examined utilizing both the plat books and the business system and the lands were found to be open and available. The application has been checked for completeness and found to be in proper order. The business system and plat books have been updated to show the lease application as an existing contract on the lands described below:

<u>ML 51336</u>	<u>T22S, R18E, SLB&amp;M.</u>	Grand
Moab Mining, Milling and	SEC. 32: ALL	640.00 acres
Metallurgical Services, Inc.		
6 Cherry Lane Drive		
Cherry Hills Village, CO 80113-4210		

Annual Rental: \$640

FUND: SCH

**AMENDMENT OF BITUMINOUS/ASPHALTIC SANDS LEASE - ML 47446-OBA (SCH)**

Through inventory of our lands, it has been found that the description and acreage in the above-numbered lease was in error. The lease was issued as follows (affected description and acres is bolded and italicized):

<u>T5S, R21E, SLB&amp;M.</u>		TOTAL: <i>1283.47 ACRES</i>
SEC. 35: ALL	640.00 ACRES	
<i>SEC. 36: ALL</i>	<i>643.47 ACRES</i>	

**CORRECTED LEGAL DESCRIPTION:**

<u>T5S, R21E, SLB&amp;M.</u>		TOTAL: <i>1362.48 ACRES</i>
SEC. 35: ALL	640.00 ACRES	
<i>SEC. 36: LOTS 1(19.27), 2(40.00), 3(40.00), 4(20.17), 5(21.07), 6(40.00), 7(40.00),</i>		
<i>8(21.97), W½E½, W½ [ALL]</i>	<i>722.48 ACRES</i>	

The parties have agreed that there will be no retroactive refunds or charges to lessee for incorrect descriptions resulting in overpayment or underpayment of rentals. However, any changes to delay rental amounts will be effective immediately and corrected amounts will be due commencing on the next ensuing anniversary date of the lease following the effective date of this amendment and will continue at that rate so long as the lease remains valid and in full force and effect unless the Record Title Lessee is notified otherwise by TLA.

The lease and all other of its terms and conditions remain in full force and effect and are ratified hereby. To the extent necessary to effectuate the intent of the parties stated herein, this amendment shall be deemed to contain present words of grant.

This amendment has been agreed to and executed by the current lessee of record, Barolo Energy Investments, LLC, 1800 Fifth Street Towers, 150 South Fifth Street, Minneapolis, MN 55402-4218.

Upon recommendation of Mr. Stokes, the Director approved the above amendment as listed.

**TOTAL ASSIGNMENT – METALLIFEROUS MINERALS LEASE**

Upon recommendation of Mr. Stokes, the Director approved the assignment of the lease listed below to Energy Fuels Resources Corporation, 44 Union Boulevard, Suite 600, Lakewood, CO 80228, by EMC Utah Inc., who reserves 2-4% overriding royalty. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

**OWNERSHIP BEFORE ASSIGNMENT:*****RECORD TITLE:******EMC UTAH INC. - 100%*****OWNERSHIP AFTER ASSIGNMENT:*****RECORD TITLE:******ENERGY FUELS RESOURCES  
CORPORATION - 100%***

....ML 49312 (SCH)....

**CORRECTION OF DIRECTOR'S MINUTES OF MAY 9, 2008 – ML 27635 (SCH)**

On May 9, 2008, the Director approved the assignment of 75% interest in operating rights in part of lands: SE¼NW¼, SW¼, E½ Sec. 32, T19S, R21E, SLB&M., 520.00 acres to Resource Development Technology LLC by Pioneer Oil and Gas. No override, previous overrides as reserved. It has been discovered that this operating rights assignment only applied to *Surface of the Earth to 4493'*.

Upon recommendation of Ms. Garrison, the Director approved the above-listed correction.

**EXPIRATION OF OIL, GAS, AND HYDROCARBON LEASES**

The Oil, Gas, and Hydrocarbon leases listed below have reached the end of their term and expired on the date listed. *This item is submitted by Edward W. Bonner for record-keeping purposes only.*

<b><u>Lease No.</u></b>	<b><u>Description</u></b>	<b><u>County/ Expiration Date</u></b>
<u>ML 47987 (SCH)</u> Gasco Production Company et al	<u>T10S, R14E, SLB&amp;M.</u> SEC. 36: ALL	Duchesne 640.00 acres May 31, 2008
<u>ML 47988 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T11S, R9E, SLB&amp;M.</u> SEC. 32: ALL	Utah 640.00 acres May 31, 2008
<u>ML 47989 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T11S, R10E, SLB&amp;M.</u> SEC. 31: LOTS 3, 4, 5, E½NW¼, NE¼SW¼ SEC. 32: LOTS 1, 2, 3, 4, N½, N½S½ [ALL] SEC. 34: LOT 2, NE¼NW¼, N½SE¼, NE¼	Duchesne 1156.20 acres May 31, 2008
<u>ML 47990 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T12S, R8E, SLB&amp;M.</u> SEC. 2: LOTS 1, 2, 3, 4, S½ [ALL]	Carbon 441.04 acres May 31, 2008

**EXPIRATION OF OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)**

<b><u>Lease No.</u></b>	<b><u>Description</u></b>	<b><u>County/ Expiration Date</u></b>
<u>ML 47991 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T12S, R8E, SLB&amp;M.</u> SEC. 36: LOTS 1, 2, 3, 4, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ [ALL]	Carbon 642.33 acres May 31, 2008
<u>ML 47992 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T12S, R9E, SLB&amp;M.</u> SEC. 2: ALL SEC. 11: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 12: LOTS 3, 4, SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 13: LOT 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 14: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 26: E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$	Carbon 1118.79 acres May 31, 2008
<u>ML 47993 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T12S, R9E, SLB&amp;M.</u> SEC. 3: SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 10: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$	Carbon 360.00 acres May 31, 2008
<u>ML 47994 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T12S, R9E, SLB&amp;M.</u> SEC. 6: LOTS 2, 4, E $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SEC. 7: LOT 1, E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ E $\frac{1}{2}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ SEC. 8: S $\frac{1}{2}$ NW $\frac{1}{4}$ SEC. 17: NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 18: LOTS 1, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$	Carbon 1126.32 acres May 31, 2008
<u>ML 47995 (SCH)</u> Marion Energy Inc.	<u>T12S, R9E, SLB&amp;M.</u> SEC. 16: ALL SEC. 21: NE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 36: LOTS 1, 2, W $\frac{1}{2}$ E $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$	Carbon 1069.84 acres May 31, 2008
<u>ML 47996 (SCH)</u> Pioneer Natural Resources USA Inc.	<u>T12S, R11E, SLB&amp;M.</u> SEC. 4: E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 5: S $\frac{1}{2}$ SE $\frac{1}{4}$ SEC. 8: NE $\frac{1}{4}$ SEC. 9: N $\frac{1}{2}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 10: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$	Carbon 800.00 acres May 31, 2008
<u>ML 47997 (USU)</u> Robert L. Bayless, Jr.	<u>T1N, R1W, USB&amp;M.</u> SEC. 19: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$	Duchesne 160.00 acres May 31, 2008

**EXPIRATION OF OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)**

<b><u>Lease No.</u></b>	<b><u>Description</u></b>	<b><u>County/ Expiration Date</u></b>
<u>ML 47998 (SCH)</u> Robert L. Bayless, Jr.	<u>T12S, R11E, SLB&amp;M.</u> SEC. 36: ALL	Carbon 640.00 acres May 31, 2008
<u>ML 47999 (SCH)</u> Robert L. Bayless, Jr.	<u>T14S, R8E, SLB&amp;M.</u> SEC. 2: LOTS 1, 2, 3, 4, 5, 6, 7, S½NE¼, SE¼, SE¼NW¼, E½SW¼ [ALL]	Carbon 688.01 acres May 31, 2008
<u>ML 48001 (SCH)</u> Robert L. Bayless, Producer LLC et al	<u>T15.5S, R23E, SLB&amp;M.</u> SEC. 31: LOTS 1, 2, 3, 4, S½	Grand 438.12 acres May 31, 2008
<u>ML 48002 (SCH)</u> Pride Ventures LLC	<u>T16S, R12E, SLB&amp;M.</u> SEC. 2: LOTS 1, 2, S½NE¼	Emery 158.16 acres May 31, 2008
<u>ML 48005 (SCH)</u> Elk Production LLC	<u>T20S, R23E, SLB&amp;M.</u> SEC. 32: S½ SEC. 36: ALL	Grand 960.00 acres May 31, 2008
<u>ML 48007 (SCH)</u> Elk Production LLC	<u>T21S, R23E, SLB&amp;M.</u> SEC. 2: LOTS 1, 2, 3, 4, S½N½	Grand 317.80 acres May 31, 2008
<u>ML 48009 (SCH)</u> Bridwell Oil Management of Alabama LLC et al	<u>T37S, R21E, SLB&amp;M.</u> SEC. 36: ALL	San Juan 640.18 acres May 31, 2008
<u>ML 48010 (SCH)</u> Bridwell Oil Management of Alabama LLC et al	<u>T37S, R22E, SLB&amp;M.</u> SEC. 33: NW¼	San Juan 160.00 acres May 31, 2008
<u>ML 48011 (SCH)</u> The First National Bank of Chicago, Trustee of the Philip T. Sharples Trust	<u>T37S, R25E, SLB&amp;M.</u> SEC. 32: W½, SE¼, W½NE¼, SE¼NE¼	San Juan 600.00 acres May 31, 2008
<u>ML 48012 (SCH)</u> Gary M. Ahlfenger et al	<u>T39S, R22E, SLB&amp;M.</u> SEC. 32: N½	San Juan 320.00 acres May 31, 2008

**EXPIRATION OF OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)**

<b><u>Lease No.</u></b>	<b><u>Description</u></b>	<b><u>County/ Expiration Date</u></b>
<u>ML 48013 (SCH)</u> Gary M. Ahlfenger et al	<u>T40S, R22E, SLB&amp;M.</u> SEC. 7: SE $\frac{1}{4}$ SEC. 8: S $\frac{1}{2}$ SEC. 9: NW $\frac{1}{4}$ SEC. 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$	San Juan 760.00 acres May 31, 2008
<u>ML 48015 (DEAF)</u> Thames River LLC et al	<u>T2S, R1W, USB&amp;M.</u> SEC. 36: S $\frac{1}{2}$ SW $\frac{1}{4}$	Uintah 80.00 acres May 31, 2008
<u>ML 48016</u> (SCH: 39.40; IB: 39.32) Petro Atlas Corporation	<u>T3S, R1W, USB&amp;M.</u> SEC. 3: LOTS 3, 4	Duchesne 78.72 acres May 31, 2008
<u>ML 48017 (SCH)</u> Petro Atlas Corporation	<u>T3S, R1W, USB&amp;M.</u> SEC. 4: S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$	Duchesne 160.00 acres May 31, 2008
<u>ML 48018 (USH)</u> Newfield Production Company	<u>T4S, R2W, USB&amp;M.</u> SEC. 1: S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	Duchesne 30.00 acres May 31, 2008
<u>ML 48019 (USH)</u> Newfield Production Company	<u>T4S, R2W, USB&amp;M.</u> SEC. 12: NW $\frac{1}{4}$	Duchesne 160.00 acres May 31, 2008
<u>ML 48020 (SM)</u> Petroglyph Energy Inc.	<u>T4S, R3W, USB&amp;M.</u> SEC. 29: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$	Duchesne 80.00 acres May 31, 2008
<u>ML 48021 (SCH)</u> Petroglyph Energy Inc.	<u>T4S, R3W, USB&amp;M.</u> SEC. 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$	Duchesne 40.00 acres May 31, 2008
<u>ML 48022 (SCH)</u> Petroglyph Energy Inc.	<u>T4S, R3W, USB&amp;M.</u> SEC. 31: S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$	Duchesne 120.00 acres May 31, 2008
<u>ML 48033 (SCH)</u> Chicago Energy Associates LLC et al	<u>T29S, R23E, SLB&amp;M.</u> SEC. 32: S $\frac{1}{2}$	San Juan 320.00 acres May 31, 2008



**EXPIRATION OF OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)**

<b><u>Lease No.</u></b>	<b><u>Description</u></b>	<b><u>County/ Expiration Date</u></b>
ML 48034 (SCH: 162.42; RES: 80.00) Kerr-McGee Oil & Gas Onshore, LP	T5S, R23E, SLB&M. SEC. 18: LOT 1, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$	Uintah 242.42 acres May 31, 2008

**CORRECTION OF DIRECTOR'S MINUTES OF MAY 30, 2008, AND JUNE 6, 2008 – CONTRACTION OF THE HUNTINGTON (SHALLOW) CBM UNIT**

The Director, on May 30, 2008, and June 6, 2008, approved the contraction of the Huntington (Shallow) CBM Unit listing ML 47102 Oil, Gas, & Hydrocarbon lease as being contracted from the unit with a two-year extension and expiration date of May 1, 2010. The lease had already expired on September 30, 2005, due to XTO Energy Inc. electing not to pay annual rental beyond September 30, 2005. Records will be adjusted to reflect the expiration of this lease effective September 30, 2005.

Upon recommendation of Ms. Wells, the Director approved the above-listed correction.

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**S U R F A C E   A C T I O N S**

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**GRAZING PERMITS****RENEWAL OF GRAZING PERMITS**

The following grazing permits have been renewed for a period of 15 years, beginning July 1, 2008, and expiring June 30, 2023.

<b><u>Permit #</u></b>	<b><u># Acres</u></b>	<b><u># AUMs</u></b>	<b><u>County(s)</u></b>	<b><u>Fund(s)</u></b>
GP 22097-08	3,564.72	320.00	Tooele	School
GP 22165-08	601.64	40.00	Daggett	School
GP 22274-08	960.00	44.00	Kane	School
GP 22315-08	2,856.44	149.00	Grand	School
GP 22359-08	1,919.88	140.00	Juab	School
GP 22386-08	640.00	51.00	Emery	University
GP 22392-08	852.12	37.00	Duchesne	School
GP 22419-08	5,991.32	257.00	Garfield	School
GP 22422-08	1,320.00	154.00	Juab	School
GP 22423-08	1,160.09	73.00	Millard	USH
GP 22424-08	1,560.00	127.00	Wasatch	Deaf, School
GP 22893-08	5,362.48	280.00	Garfield	School

Upon recommendation of Ms. Paula Lane, the Director approved the renewal of these permits.

**GRAZING PERMIT 22421-08 (APPROVAL WITH MATCHING COMPETITIVE BID)**

Division of Wildlife Resources ("UDWR")

P.O. Box 146301

Salt Lake City, UT 84114-6301

480.02 Acres

24 AUMs

Piute County

School Fund

\$750.00 competitive bid

\$ 50.00 application fee

\$ 2.40 weed fee

\$ 91.20 grazing fee

**Township 27 South, Range 3 West, SLB&M**

Section 2: Lot 1, S½NE¼, SW¼NW¼, S½

The term of this permit begins July 1, 2008, and expires June 30, 2023. The season of use is year-round for wildlife.

**COMMENT:**

UDWR matched the competitive bid of \$750.00 made by Keith G. Anderton under Grazing Permit Application No. 23284. A letter was mailed to Mr. Anderton informing him that his competitive bid was matched by the incumbent permittee and \$750.00 will be refunded to him. A separate minute entry will address the refund of the bid deposit.

Upon recommendation of Mr. Ron Torgerson, the Director approved Grazing Permit No. 22421-08, with matching competitive bid.

**GRAZING PERMIT NOS. 23014 AND 20838 (CANCELLATION)**

The above referenced grazing permits, in the name of Robert and Joe Yardley, are to be canceled because the acreage contained within these permits is being added to the permittee's renewal application for GP 22435-08. Beaver County. School Fund.

Upon recommendation of Ron Torgerson, the Director approved the cancellation of the above referenced grazing permits.

**GRAZING PERMIT APPLICATION NO. 23284 (CANCELLATION AND REFUND OF COMPETITIVE BID)**

The above referenced grazing permit application, in the name of Keith G. Anderton, P.O. Box 81, Marysville, UT 84750, is a competing application to GP 22421-08 (Utah Division of Wildlife Resources ("UDWR")). UDWR, as the existing permittee, matched the \$750.00 competitive bid. Therefore, GP 23284 should be canceled and **the \$750.00 bonus bid should be refunded to Mr. Anderton.** The \$50.00 application fee will be forfeited. Piute County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the cancellation of GP 23284, and ordered **a refund of the \$750.00 competitive bid offer be sent to Keith G. Anderton at the address listed above.**

**GRAZING PERMIT NO. 23184-A (ASSIGNMENT)**

Thomas V. Hatch, P.O. Box 206, Panguitch, UT 84759, has requested the Trust Lands Administration's permission to assign 100% interest in the above referenced grazing permit to Jordan Hatch, P.O. Box 858, Huntington, UT 84528. The assignment fee in the amount of \$52.00 has been submitted. Beaver County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the assignment of GP 23184-A.

**GRAZING PERMIT NO. 22748-99 (NON-USE)**

Larry Robinson, 7105 County Road No. 5, Rifle, CO 81650, the permittee of GP 22748-99, has requested 100% non-use due to winter range conditions and the depth of snow last grazing season. Staff has verified these range conditions. The above permit should be billed for only the weed fee of \$35.50. The \$20.00 fee has been paid. Uintah County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved non-use for GP 22748-99.

**GRAZING PERMIT NO. 23077 (PARTIAL NON-USE)**

The above grazing permit in the name of Moon Ranch, LLC., P.O. Box 154, Duchesne, UT 84021, has requested 60.2% non-use due to winter range conditions and the depth of snow last grazing season. Staff has verified these range conditions. The above permit should be billed for 164.8 AUMs. The \$20.00 non-use fee has been paid. Duchesne and Uintah Counties. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the partial non-use for GP 23077.

**GRAZING PERMIT NO. 45-A (NON-USE)**

Corporation of Presiding Bishop, P.O. Box 1003, Fillmore, UT 84631, has requested 100% non-use (52 AUM's) on grazing permit GP 45A during the 2008-2009 grazing season. This grazing permit is located on the Oak City Block with no BLM management involved. As this is a federally managed grazing permit acquired in the West Desert Land Exchange Act, the permittee can apply for non-use up to a five-year period. The 2008-2009 billing should be canceled. The \$20.00 non-use fee has been paid. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the non-use for GP 45-A.

**GRAZING PERMIT NO. 20501 (TWO-YEAR SUBLEASE APPROVAL)**

Cross R. Ranch, LLC, 2211 Cohansey Blvd., Roseville, MN 55113, has requested permission to sublease 100% of the above referenced grazing permit to Harold Hamblin, 163 S. 200 E., Kanab, UT 84741. The sublease fee in the amount of \$20.60 has been submitted. This represents a \$1.00/AUM sublease fee. The sublease will be approved for a two-year term and be billed annually until that term expires June 30, 2010. Kane County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the sublease for GP 20501.

**GRAZING PERMIT NO. 20660 (THREE-YEAR SUBLEASE APPROVAL)**

Arnold W. Osborne, 7398 S. 240 E., Midvale, UT 84047, has requested permission to sublease 100% of the above referenced grazing permit to Leo Stott, P.O. Box 71, Meadow, UT 84644. The sublease fee in the amount of \$29.77 has been submitted. This represents a \$1.00/AUM sublease fee. The sublease will be approved for a three-year term and be billed annually until that term expires June 30, 2011. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the sublease for GP 20660.

**GRAZING PERMIT NO. 20929 (FOUR-YEAR SUBLEASE APPROVAL)**

Arnold W. Osborne, 7398 S. 240 E., Midvale, UT 84047, has requested permission to sublease 100% of the above referenced grazing permit to Leo Stott, P.O. Box 71, Meadow, UT 84644. The sublease fee in the amount of \$49.71 has been submitted. This represents a \$1.00/AUM sublease fee. The sublease will be approved for a four-year term and be billed annually until that term expires June 30, 2012. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the sublease for GP 20929.

**GRAZING PERMIT NO. 21459-00 (FIVE-YEAR SUBLEASE APPROVAL)**

Barracks Ranch Inc., 1625 Pinecrest Court, Reno, NV 89533, has requested permission to sublease 100% of the above referenced grazing permit to Jeff Cox, P.O. Box 153, Glendale, UT 84729. The sublease fee in the amount of \$24.06 has been submitted. This represents a \$1.00/AUM sublease payment. The sublease will be approved for a five-year term and be billed annually until that term expires June 30, 2013. Kane County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the sublease for GP 21459-00.

**GRAZING PERMIT NO. 21491-00 (FIVE-YEAR SUBLEASE APPROVAL)**

Cross R. Ranch, LLC, 2211 Cohansey Blvd., Roseville, MN 55113, has requested permission to sublease 100% of the above referenced grazing permit to Harold Hamblin, 163 S. 200 E., Kanab, UT 84741. The sublease fee in the amount of \$10.75 has been submitted. This represents a \$1.00/AUM sublease fee. The sublease will be approved for a five-year term and be billed annually until that term expires June 30, 2013. Kane County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the sublease for GP 21491-00.

**GRAZING PERMIT NO. 22038-02 (FIVE-YEAR SUBLEASE APPROVAL)**

Barracks Ranch Inc., 1625 Pinecrest Court, Reno, NV 89533, has requested permission to sublease 100% of the above referenced grazing permit to Jeff Cox, P.O. Box 153, Glendale, UT 84729. The sublease fee in the amount of \$49.00 has been submitted. This represents a \$1.00/AUM sublease payment. The sublease will be approved for a five-year term and be billed annually until that term expires June 30, 2013. Kane County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the sublease for GP 22038-02.

**GRAZING PERMIT NO. 22630 (TWO-YEAR SUBLEASE AMENDMENT)**

Lanny D. and Glenna Thomas, 934 Celestite Drive, Fruita CO 81521, have requested permission to amend their sublease of the above referenced grazing permit to Corey Vetre, Box 515, Green River, UT 84525. Due to the sublease amount being increased by the permittee, Mr. Vetre is now responsible to pay the Trust Lands Administration an additional amount for subleasing. The sublease fee in the amount of \$250.10 has been submitted. This represents a 50:50 cost-share for subleasing 61 AUMs at \$12.00/AUM. The sublease amendment will be approved for a two-year term and be billed annually until that term expires June 30, 2010. Grand County. USU Fund.

Upon recommendation of Mr. Ron Torgerson, the Director amended the sublease for GP 22630.

**MODIFIED GRAZING PERMITS****MODIFIED GRAZING PERMIT NO. 27 (APPROVAL)**

Linda B. Miller  
P.O. Box 2866  
West Wendover, NV 89883

3.00 Acres      16.2 AUMs      School Fund      Tooele County

First Year's Rental: \$150.00  
Application Fee: \$100.00

**T7S, R18W, SLB&M**

Section 36: Three acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

The above permit allows the applicant to use the existing corrals and holding pens for the feeding and holding of horses and other livestock. This permit will allow the permittee to use and store non-certified weed free hay on the site. Storage of machinery, junk, or unused equipment is not allowed.

The term of this permit begins July 1, 2008, and expires June 30, 2018. The season of use is year round.

Upon recommendation of Mr. Scott Chamberlain, the Director approved Modified Grazing Permit No. 27.

**MODIFIED GRAZING PERMIT NO. 2-01 (AMENDMENT OF FEES)**

A review of the above permit indicates that the permit warrants an increase in fees. Paragraph 1 of the permit states that the permittee agrees to a fee increase if the grazing fees were to ever increase to an amount over the current rental of \$477.00 annually. Using the new grazing fee schedule for blocks and better parcels of land, the new rental for MGP 2-01 should be \$630.00. A certified letter was sent to the permittee notifying them of the fee increase for the above permit. The permittee was given 20 days in which they could contact the Administration regarding this action. No reply was received. Duchesne County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the new rental rate of \$630.00 for MGP 2-01.

**RANGE IMPROVEMENT PROJECTS****RANGE IMPROVEMENT PROJECT NO. 273 (WITHIN GP 23235)****APPLICANT'S NAME AND ADDRESS:**

Little Red Creek Cattle Co.  
P.O. Box 332  
Tabiona, UT 84072

**LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:**

T1S, R9W, USM

Sec. 31: SE¼ (UTM 12, NAD 83, E 0505132, N 4466101)

COUNTY: Duchesne

FUND: School

**REQUESTED/PROPOSED ACTION:**

The applicant has requested permission to construct a small 30 ft. pond, 3 feet deep, to capture water from a small ephemeral seep.

**RELEVANT FACTUAL BACKGROUND:**

On September 1, 2006, the applicant submitted a proposal for this range improvement project.

The proposal was submitted to the Resource Development Coordinating Committee ("RDCC") for review. Comments were received from the RDCC in a letter written September 27, 2006, Project No. 06-7049. The Division of Water Quality ("DWQ") requested that "[r]un off should be controlled during construction to control erosion and sediment from entering waters of the State." This request will be complied with.

A search of the Trust Lands Administration's records was made to determine the status of the area involved. The grazing permit of record on the affected area is GP 23235, issued to the applicant. There is one timber sale in the area, TA 831, which will not be affected by the project.

Cultural clearance was completed by TLA cultural staff.

The following is a flat rate amortization schedule (NRCS Schedule) for this project if the Trust Lands Administration cancels the grazing permit before the project is fully amortized. If the permittee sells or allows the permit to expire or to be canceled due to its own failure, then the amortization schedule will be canceled.

<b>Project</b>	<b>Project Cost</b>	<b>Project Life</b>	<b>Year Completed</b>	<b>Yearly Amortized Deduction</b>	<b>Year Fully Amortized</b>
Pond	\$800	20 years	2008	\$40/year	2028

**EVALUATION OF THE FACTS:**

The proposed range improvement is not located on land affected by (a) or (b) of R850-50-1100(5). The proposed project enhances the value of the range for domestic livestock.

Based on the above information and upon recommendation by Mr. Scott Chamberlain, the Director approved Range Improvement Project No. 273. This summary will constitute the Record of Decision.

**RANGE IMPROVEMENT PROJECT NO. RIP 290**

**APPLICANT'S NAME AND ADDRESS:**

Bureau of Land Management  
2370 South 2300 West  
Salt Lake City, UT 84119

**LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:**

T10N, R6E, SLB&M

Section 32: E2 within

T9N, R6E, SLB&M

Section 2: 300 within

COUNTY: Rich

FUND: School

**REQUESTED/PROPOSED ACTION:**

The applicant proposes to conduct a prescribed burn to reduce the chance of catastrophic fire and to increase plant diversity for wildlife. The perimeter of the burn will be cleared with hand tools.

**RELEVANT FACTUAL BACKGROUND:**

The applicant submitted a proposal for this range improvement project on June 29, 2007.

The proposal was sent to the Resource Development Coordinating Committee ("RDCC") for review. From RDCC a notice was received that read, "[t]he State Planning Coordinator's Office has reviewed this proposal and has not received any comments..."

Cultural compliance has been completed. The Trust Lands Administration's archaeology staff made the determination of "no survey required."

A search of the Trust Lands Administration's records was made to determine the status of the area involved. The grazing permits of record are GP 21867 and GP 21127, issued to Orsin Cornia and George Frazier, respectively, who are in support of the project. There are two mineral leases within the project area; however, due to the nature of the project, they will not be affected.

The project cost on trust lands is valued at \$1,500.00. Because the applicant is not the permittee of record, the project will not be eligible for amortization. Note: The life of the project (the benefit) is 15 years.

**EVALUATION OF THE FACTS:**

This range improvement is in compliance with R850-50-1100(5)(a) and (b). The project does enhance the value of the resources pursuant to R850-50-1100(5)(c).

Upon recommendation of Mr. Scott Chamberlain, the Director approved Range Improvement Project No. 290. This summary will constitute the Record of Decision.

**RANGE IMPROVEMENT PROJECT NO. 327 (WITHIN GP 22977)****APPLICANT'S NAME AND ADDRESS:**

Wilson Brothers Livestock  
 c/o Don Wilson  
 260 West Center  
 P.O. Box 821  
 Salem, UT 84653

**LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:**

T8S, R2W, SLB&M  
 SEC. 12: (within)

COUNTY: Duchesne                      FUND: School

**REQUESTED/PROPOSED ACTION:**

The applicant proposes to build a 1.5 mile long drift fence through the center of Section 12 and along the southwest quarter line. The fence will be net wire with a single strand of barbed wire on top.

**RELEVANT FACTUAL BACKGROUND:**

The applicant submitted a proposal for this range improvement project on April 25, 2008.

Notice was sent to Division of Wildlife Resource regarding the project. No response has been received.

A search of the Trust Lands Administration's records was made to determine the status of the area involved. Grazing Permit No. 22977, issued to the applicant, is the only record in the affected area.

Following is a flat rate amortization schedule (NRCS Schedule) for this project if the Trust Lands Administration cancels the grazing permit before the project is fully amortized. If the permittee sells or allows the permit to expire or to be canceled due to its own failure, then the amortization schedule will be canceled. The Trust Lands Administration is providing \$1,000.00 worth of material for the fence (Post), from the 'Range 10% Monies'.

<b>Project</b>	<b>Project Cost</b>	<b>Project Life</b>	<b>Year Completed</b>	<b>Yearly Amortized Deduction</b>	<b>Year Fully Amortized</b>
Fence	\$12,464	20 years	2008	\$623.20/year	2028

**EVALUATION OF THE FACTS:**

This range improvement is in compliance with R850-50-1100(5)(a) and (b). The project does enhance the value of the resources and is needed to manage livestock in the area pursuant to R850-50-1100(5)(c).

Upon recommendation of Mr. Scott Chamberlain, the Director approved Range Improvement Project No. 327. This summary will constitute the Record of Decision.



**RANGE IMPROVEMENT PROJECT NO. 329**

**APPLICANT'S NAME AND ADDRESS:**

Utah Division of Forestry Fire & State Lands  
1780 N. Research Parkway  
North Logan, UT 84341

**LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:**

T13N, R7E, SLB&M  
Section 14: NE¼ (within)

COUNTY: Rich

FUND: School

**REQUESTED/PROPOSED ACTION:**

The applicant proposes to seed approximately 50 acres of trust lands which burned due to a wildfire in 2007. The applicant will apply seed via ATV and hand.

**RELEVANT FACTUAL BACKGROUND:**

The applicant submitted a proposal for this range improvement project on May 19, 2008.

Cultural resource compliance has been completed. The Trust Lands Administration's archaeology staff has determined that "no survey is required."

A search of the Trust Lands Administration's records was made to determine the status of the area involved. The grazing permit of record is GP 21125, issued to Floyd K. Cornia, who is in support of the project. There is one mineral lease within the project area; however, due to the nature of the project, it will not be affected.

The project cost on trust lands is valued at \$4,000. Because the applicant is not the permittee of record, the project will not be eligible for amortization. Note: The life of the project (the benefit) is 15 years.

**EVALUATION OF THE FACTS:**

This range improvement is in compliance with R850-50-1100(5)(a) and (b). The project does enhance the value of the resources pursuant to R850-50-1100(5)(c).

Upon recommendation of Mr. Scott Chamberlain, the Director approved Range Improvement Project No. 329. This summary will constitute the Record of Decision.

**RIGHTS OF ENTRY****RIGHT OF ENTRY NO. 5195 (APPROVAL)**

On June 5, 2008, the School and Institutional Trust Lands Administration received an application from Solfun, LLC, P.O. Box 1269, Moab, UT 84532, to occupy all trust land located within the State of Utah, except for those lands subject to existing leases or permits that grant access control, and those lands that have been withdrawn or may be withdrawn by order of the Director, to conduct commercial tours for a one-year term.

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. The permittee shall also pay to the Trust Lands Administration the sum of 3% of gross receipts, based on number of clients, number of client days, and percentage of time spent on trust land, within 30 days of permit expiration date. Beginning date: May 1, 2008. Expiration date: April 30, 2009. Funding: School = 96.66%, USU = 0.83%, Deaf = 0.16%, Blind = 0.01%, MH = 0.18%, NS = 0.16%, PB = < 0.01%, SYDC = < 0.01%, RES = 1.26%, SM = 0.21%, UNIV = 0.51%.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5195 for a one-year term.

**RIGHT OF ENTRY NO. 5196 (APPROVAL)**

On June 5, 2008, the School and Institutional Trust Lands Administration received an application from Gateway Canyons, LLC, 43200 Highway 141, P.O. Box 339, Gateway, CO 81522, to occupy the following described trust land located within Grand County for commercial guide services for a one-year term:

T26S, R25E, SLB&M

Sec. 5: Within

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. The permittee shall also pay to the Trust Lands Administration the sum of 3% of gross receipts, based on number of clients, number of client days, and percentage of time spent on trust land, within 30 days of permit expiration date. Grand County. USU Fund. Beginning date: June 1, 2008. Expiration date: May 31, 2009.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5196 for a one-year term.

**RIGHT OF ENTRY NO. 5197**

On June 5, 2008, Ms. Jeanine Kleinke, Trust Lands Technician, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of Hard Drive Production, 532 West First Street, Suite 215, Claremont, CA 91711, to occupy the following described trust land located within San Juan County for commercial photography:

T27S, R22E, SLB&M

Sec. 1: Within

The fee for this right of entry is \$300.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$400.00. San Juan County. School Fund. Expiration date: June 10, 2008.

*This item was submitted by Ms. Jeanine Kleinke for record-keeping purposes.*

**RIGHT OF ENTRY NO. 5189 (CORRECTION OF MINUTES DATED JUNE 6, 2008)**

On the June 6, 2008, Director's Minutes, the name of the permittee for Right of Entry No. 5189 was incorrectly listed as HIS Productions. The correct name for this permittee is **HSI** Productions. San Juan County. School Fund. Agency records should be noted.

*This item was submitted by Ms. Jeanine Kleinke for record-keeping purposes.*

**EASEMENTS****EASEMENT NO. 939 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Beehive Telephone Company, Inc.  
2000 East Sunset Road  
Lakepoint, UT 84074

**LEGAL DESCRIPTION:**

Township 6 North, Range 18 West, SLB&M  
Section 16: W $\frac{1}{2}$ W $\frac{1}{2}$  (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°43'50" East 666.89 feet, more or less, from the Southwest corner of Section 16, Township 6 North, Range 18 West, SLB&M, to the point of beginning, thence North 0°50'32" East 749.99 feet, more or less, thence North 2°51'54" East 178.43 feet, more or less, thence North 5°29'02" East 146.5 feet, more or less, thence North 8°26'37" East 2912.97 feet, more or less, thence North 10°52'02" East 279.12 feet, more or less, thence North 15°33'54" East 270.58 feet, more or less, thence North 16°35'25" East 811.98 feet, more or less, ending at a point along the Northern boundary of said Section 16. Containing 1.96 acres, more or less.

Township 7 North, Range 18 West, SLB&M  
Section 2: Lot 4 (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet of the left side of the following described survey line:

Commencing at a point being South 0°28'28" West 555.89 feet, more or less, from the Northwest corner of Section 2, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence North 56°30'54" East 569.57 feet, more or less, thence North 56°18'40" East 404.95 feet, more or less, ending at a point along the Northern boundary of said Section 2. Containing 0.357 acres, more or less.

Township 7 North, Range 18 West, SLB&M  
Section 16: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$  (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following survey line:

**EASEMENT NO. 939 (APPROVAL) (CONTINUED)**

Commencing at a point being North 88°20'46" West 1271.62 feet, more or less, from the Southeast corner of Section 16, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence North 17°48'38" East 1297.00 feet, more or less, thence North 18°05'48" East 248.81 feet, more or less, thence North 20°06'16" East 163.62 feet, more or less, thence North 22°43'58" East 161.31 feet, more or less, thence North 25°37'15" East 1659.77 feet, more or less, ending at a point along the Eastern boundary of said Section 16. Containing 1.296 acres, more or less.

**Township 7 North, Range 18 West, SLB&M**

Section 32: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$  (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°55'13" West 2403.02 feet, more or less, from the Northeast corner of Section 32, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence South 23°38'06" West 389.51 feet, more or less, thence South 22°21'33" West 208.83 feet, more or less, thence South 19°39'49" West 213.44 feet, more or less, thence South 20°47'30" West 946.84 feet, more or less, thence South 19°11'01" West 307.24 feet, more or less, thence South 18°20'11" West 389.74 feet, more or less, thence South 17°13'07" West 480.22 feet, more or less, ending at a point along the Southern boundary of said Section 32. Containing 1.07 acres, more or less.

**Township 8 North, Range 18 West, SLB&M**

Section 36: W $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$  (within)

An easement 16 feet in width, being 8 feet of the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 57°2'29" West 6127.13 feet, more or less, from the Southeast corner of Section 36, Township 8 North, Range 18 West, SLB&M, to a point of beginning, thence North 56°11'47" East 56.92 feet, more or less, thence North 44°55'06" East 53.82 feet, more or less, thence North 33°29'32" East 48.04 feet, more or less, thence North 23°51'04" East 85.56 feet, more or less, thence North 9°32'21" East 264.82 feet, more or less, thence North 10°25'31" East 1752.79 feet, more or less, ending at a point along the Northern boundary of said Section 36. Containing 0.83 acres, more or less.

Also, commencing at a point being North 0°38'03" West 538.41 feet, more or less, from the Southeast corner of said Section 36, to a point of beginning, thence North 58°02'24" West 747.28 feet, more or less, thence North 58°34'31" West 1892.78 feet, more or less, thence North 58°25'13" West 1118.98 feet, more or less, thence North 58°35'58" West 1955.07 feet, more or less, thence North 52°29'48" West 52.08 feet, more or less, thence North 43°34'31" West 22.38 feet, more or less, thence North 35°54'13" West 20.51 feet, more or less, thence North 26°21'49" West 18.57 feet, more or less, thence North 19°21'57" West 55.17 feet, more or less, ending at a point where it meets the beginning point of the above described centerline. Containing 2.16 acres, more or less.

**Township 10 North, Range 18 West, SLB&M**

Section 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$  (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

**EASEMENT NO. 939 (APPROVAL) (CONTINUED)**

Commencing at a point being South 1°17'37" West 171.19 feet, more or less, from the Northeast corner of Section 32, Township 10 North, Range 18 West, SLB&M, to the point of beginning, thence North 76°42'39" West 97.49 feet, more or less, thence North 72°03'59" West 100.28 feet, more or less, thence North 69°15'46" West 156.54 feet, more or less, thence North 68°58'44" West 195.56 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing .20 acres, more or less.

**Township 11 North, Range 15 West, SLB&M**

Section 2: Lot 2, SW¼NE¼, NW¼SE¼, E½SW¼ (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 88°54'40" West 1766.33 feet, more or less, from the Northeast corner of Section 2, Township 11 North, Range 15 West, SLB&M, to the point of beginning, thence South 16°12'31" West 1447.14 feet, more or less, thence South 16°13'50" West 4092.50 feet, more or less, ending at a point along the Southern boundary of said Section 2. Containing 2.03 acres, more or less.

**Township 13 North, Range 11 West, SLB&M**

Section 32: W½NW¼, NW¼SW¼, E½SW¼, S½SE¼ (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 89°45'57" West 3315.40 feet, more or less, from the Southeast corner of Section 32, Township 13 North, Range 11 West, SLB&M, to a point of beginning, thence North 13°18'18" West 22.30 feet, more or less, thence North 72°34'44" East 41.04 feet, more or less, thence North 16°57'22" West 63.55 feet, more or less, thence North 25°21'54" West 17.45 feet, more or less, thence North 19°53'04" West 745.77 feet, more or less, thence North 19°59'13" West 1533.23 feet, more or less, thence North 19°00'12" West 310.17 feet, more or less, thence North 17°59'35" West 121.52 feet, more or less, thence North 15°45'50" West 233.09 feet, more or less, thence North 10°57'57" West 174.15 feet, more or less, thence North 7°56'00" West 184.32 feet, more or less, thence North 7°53'41" West 2092.63 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing 2.03 acres, more or less.

Also, commencing at a point being North 0°25'53" East 42.12 feet, more or less, from the Southeast corner of said Section 32, to a point of beginning, thence North 88°31'22" West 1617.34 feet, more or less, thence North 88°43'56" West 1302.84 feet, more or less, thence North 89°23'21" West 105.24 feet, more or less, thence South 89°30'52" West 90.67 feet, more or less, thence North 88°44'11" West 25.69 feet, more or less, thence North 85°33'08" West 65.52 feet, more or less, thence North 81°34'24" West 72.72 feet, more or less, thence North 83°05'11" West 43.39 feet, more or less, ending at a point where it meets the point of beginning of the above described centerline. Containing 1.22 acres, more or less.

**Township 13 North, Range 13 West, SLB&M**

Section 32: NW¼NW¼ (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°26'21" West 14.00 feet, more or less, from the Northeast corner of Section 31, Township 13 North, Range 13 West, SLB&M, to the point of beginning, thence South 89°33'39" East 1350.16 feet, more or less, ending at a point along the Eastern boundary line of Section 32. Containing .49 acres, more or less.

**EASEMENT NO. 939 (APPROVAL) (CONTINUED)****Township 13 North, Range 15 West, SLB&M**Section 32: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°50'58" West 3181.60 feet, more or less, from the Northeast corner of Section 32, Township 13 North, Range 15 West, SLB&M, to the point of beginning, thence North 51°38'05" West 191.73 feet, more or less, thence North 48°29'03" West 155.13 feet, more or less, thence North 46°13'06" West 106.84 feet, more or less, thence North 41°21'43" West 70.51 feet, more or less, thence North 36°59'13" West 115.30 feet, more or less, thence North 33°20'47" West 65.83 feet, more or less, thence North 32°39'20" West 528.33 feet, more or less, thence North 31°29'10" West 350.62 feet, more or less, thence North 27°37'22" West 168.09 feet, more or less, thence North 31°58'14" West 162.68 feet, more or less, thence North 35°11'16" West 213.18 feet, more or less, thence North 36°05'26" West 190.25 feet, more or less, thence North 38°08'50" West 127.78 feet, more or less, thence North 46°43'44" West 90.10 feet, more or less, thence North 50°31'12" West 165.01 feet, more or less, thence North 47°56'14" West 52.91 feet, more or less, thence North 45°22'30" West 105.61 feet, more or less, thence North 41°23'43" West 279.10 feet, more or less, thence North 37°56'01" West 174.35 feet, more or less, thence North 38°52'41" West 229.29 feet, more or less, thence North 41°39'11" West 120.46 feet, more or less, thence North 45°40'56" West 156.67 feet, more or less, thence North 45°23'25" West 74.91 feet, more or less, thence North 41°31'24" West 85.63 feet, more or less, thence North 39°13'34" West 48.90 feet, more or less, thence North 38°17'09" West 106.14 feet, more or less, thence North 37°38'20" West 71.77 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing 1.54 acres, more or less.

**Township 13 North, Range 17 West, SLB&M**Section 16: E $\frac{1}{2}$ SE $\frac{1}{4}$  (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 87°31'22" West 123.06 feet, more or less, from the Southeast corner of Section 16, Township 13 North, Range 17 West, SLB&M, to the point of beginning, thence North 52°29'45" East 158.48 feet, more or less, ending at a point along the Eastern boundary of said Section 16. Containing .05 acres, more or less.

**Township 13 North, Range 17 West, SLB&M**Section 32: W $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°59'47" East 44.25 feet, more or less, from the Northwest corner of Section 5, Township 12 North, Range 17 West, SLB&M, to the point of beginning, thence North 26°50'34" East 693.97 feet, more or less, thence North 28°08'30" East 58.70 feet, more or less, thence North 31°39'52" East 58.55 feet, more or less, thence North 35°14'40" East 60.39 feet, more or less, thence North 38°56'48" East 64.27 feet, more or less, thence North 42°16'16" East 281.89 feet, more or less, thence North 45°15'44" East 438.01 feet, more or less, thence North 48°26'03" East 958.50 feet, more or less, thence North 47°44'27" East 195.10 feet, more or less, thence North 43°52'00" East 129.39 feet, more or less, thence North 38°43'46" East 64.05 feet,

**EASEMENT NO. 939 (APPROVAL) (CONTINUED)**

more or less, thence North 34°51'17" East 63.61 feet, more or less, thence North 30°51'08" East 63.40 feet, more or less, thence North 27°03'20" East 63.22 feet, more or less, thence North 21°06'55" East 127.40 feet, more or less, thence North 14°51'01" East 65.08 feet, more or less, thence North 10°57'47" East 135.57 feet, more or less, thence North 8°54'30" East 2508.90 feet, more or less, ending at a point along the Northern boundary of Section 32, Township 13 North, Range 17 West, SLB&M. Containing 2.21 acres, more or less.

**Township 13 North, Range 18 West, SLB&M**

Section 16: W½SW¼ (within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°42'32" East 1214.32 feet, more or less, from the Southwest corner of Section 16, Township 13 North, Range 18 West, SLB&M, to the point of beginning, thence North 5°56'28" West 48.16 feet, more or less, thence North 5°02'52" West 60.54 feet, more or less, thence North 3°01'22" West 197.53 feet, more or less, thence North 6°55'58" East 24.66 feet, more or less, thence North 2°35'03" East 157.85 feet, more or less, thence North 2°00'07" East 72.81 feet, more or less, thence North 0°17'35" West 38.25 feet, more or less, thence North 4°52'06" West 109.18 feet, more or less, thence North 9°22'56" West 64.13 feet, more or less, thence North 15°49'37" West 103.64 feet, more or less, thence North 21°59'51" West 95.95 feet, more or less, thence North 26°08'29" West 126.95 feet, more or less, thence North 29°51'51" West 307.55 feet, more or less, thence North 30°27'03" West 163.17 feet, more or less, thence North 33°38'54" West 27.50 feet, more or less, thence North 40°21'55" West 158.10 feet, more or less, thence North 44°03'46" West 97.49 feet, more or less, thence North 49°46'57" West 83.26 feet, more or less, thence North 56°19'16" West 96.75 feet, more or less, thence North 62°44'03" West 71.65 feet, more or less, thence North 67°57'49" West 119.53 feet, more or less, thence North 70°50'09" West 85.84 feet, more or less, thence North 74°53'46" West 85.92 feet, more or less, thence North 75°31'04" West 125.37 feet, more or less, ending at a point along the Western boundary of said Section 16. Containing .92 acres, more or less.

COUNTY: Box Elder

ACRES: 18.363

FUND: School

**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a buried fiber optics communications line. The fiber optics line is a distribution line designed to provide new service and/or upgrade service to rural Box Elder County residents. The line will be installed mostly alongside existing roads which are maintained by Box Elder County. The proposed easement corridor is 50,155.23 feet (9.5 miles) long and 16 feet wide, containing 18.363 acres. The proposed term of the easement is 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The Resource Development Coordinating Committee ("RDCC") review was initiated on October 30, 2004. Comments were received from the Department of Environmental Quality/Division of Water Quality and the Utah State Historic Preservation Office as follows:

**Department of Environmental Quality/Division of Water Quality:**

*"With the total length of this proposed cable burying, with the associated disturbance or destruction of surface vegetation that will result, and with the placement of a significant volume of excavated materials which will be placed onto the earth's surface, significant total erosion and resulting degradation of water quality is possible to result over the near and long term unless effective erosion control measures are employed in a timely way."*

**EASEMENT NO. 939 (APPROVAL) (CONTINUED)**

*"The applicant should be required to:*

- "1. Minimize disturbance of vegetation in placing the buried line.*
- "2. Restore surface leveling to approximate surface conditions prior to line burying.*
- "3. Restore or establish appropriate vegetation to areas which are disturbed by the cable placement to stabilize soils and prevent erosion.*

*"The appropriate vegetation to establish which is viable, sustaining, beneficial, and economical would likely be to seed the disturbed areas with a suitable grass seed at the appropriate season. Appropriate grass species and variety could be recommended by the local County Office of USDA/NRCS: Tremonton Service Center, 85 South 100 East, Tremonton, Utah, 84337-1605. Phone: (435) 257-5402. Fax: (435) 257-1930.*

*"This office could also recommend the best time to seed, which generally might include seeding from September 1 through October 30, or seeding from February 10 through March 20."*

**Utah State Historic Preservation Office (SHPO):**

*"Section 404 Consultation SITLA; archaeological review and consultation is ongoing for the project, therefore SHPO has no comment for this portion of the project."*

The applicant has been notified of the comments provided by the RDCC. The comments submitted by the Department of Environmental Quality/Division Water Quality are addressed within Paragraph 13 of the easement agreement.

The project area has been surveyed for cultural resources in conjunction with the Bureau of Land Management with a finding of "Historic Properties Not Affected." The Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have reviewed the project and concur with this finding.

**EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 939 for a term of 30 years beginning June 1, 2008, and expiring May 31, 2038, with the easement fee being \$19,155.27 plus the \$600.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$500.00.



**RIGHT OF WAY NO. 3226 (REINSTATEMENT)**

Chevron Pipe Line Company, Right-of-Way Department, 4800 Fournace Place, Bellaire, Texas, 77401-2324, has requested reinstatement of Right of Way No. 3226, which was canceled for non-payment of the required administrative fee as documented in the Director's Minutes of March 7, 2008. Right of Way No. 3226 was issued May 29, 1987, for a cathodic protection line for a perpetual term.

Pursuant to Rule R850-5-500(1)(d), the right-of-way will be amended to a term of years such that the right-of-way will expire in 15 years. The new expiration date of the right-of-way is April 30, 2023. Rule R850-5-500(1)(d) also requires payment of the difference between what was originally paid for the right-of-way and what the Agency would charge for that same right-of-way today. When this right-of-way was issued in 1987, an easement fee in the amount of \$606.00 was paid. At today's rates, the easement fee for this right-of-way would be \$1,090.91. The difference of \$484.91 has been paid.

The Grantee has also paid the required \$400.00 reinstatement fee, along with the \$20.00 past-due administrative fee, and a \$30.00 late fee. The request for reinstatement was received on March 31, 2008, which is within the 60-day reinstatement period allowed by Rule R850-5-500(1)(d). Therefore, all conditions for reinstatement pursuant to Rule R850-5-500(1)(d) have been met. Uintah County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the reinstatement of Right of Way No. 3226.

**SPECIAL USE LEASE AGREEMENTS****SPECIAL USE LEASE NO. 1578 (APPROVAL)****APPLICANT'S NAME AND ADDRESS**

Stevenson Intermountain Seed, Inc.  
P.O. Box 2  
Ephraim, UT 84627

**LEGAL DESCRIPTION:**

Township 9 South, Range17 East, SLB&M  
Section 36: All

Township 10 South, Range17 East, SLB&M  
Section 2: All

COUNTY: Duchesne and Uintah

ACRES: 1,279.8

FUND: School

LEASE TYPE: AGR

**PROPOSED ACTION:**

Issue an agricultural lease for the purpose of harvesting seed from native and wildland grown plant species. The target species is Globemallow. Globemallow may be harvested by hand or rubber tired machinery in such a manner as not to damage the soil or plants. Machinery may not be used to harvest other species unless prior written authorization is given.

**RELEVANT FACTUAL BACKGROUND:**

The application for a lease was received on January 17, 2008. The Director accepted the application on February 1, 2008.

**SPECIAL USE LEASE NO. 1578 (APPROVAL) (CONTINUED)**

A public notice was published according to rule and sent to all existing permittees, lessees, and adjoining landowners. No competing applications or comments were received. The application was submitted for review by the Resource Development Coordinating Committee ("RDCC") on April 23, 2008. No comments were received through RDCC. Notice was also sent to the Uintah Basin Association of Governments and Duchesne and Uintah Counties. Comments were received from Duchesne and Uintah Counties expressing support for the lease.

Consultation with the State Historic Preservation Office ("SHPO") and the staff archaeologist resulted in a determination that no cultural survey is needed.

**EVALUATION OF FACTS:**

The applicant submitted a sealed bid proposal for SULA 1578 in the amount of \$2,000.00 with an offer of 15% royalty on the wholesale value of the seed. Royalties are anticipated to have a range of \$0 to \$5,000.00 annually. The application is for 1,279.80 acres. The bid amount equals \$1.56 per acre in rent, without royalties. The value of the subject property is estimated to be \$300.00 per acre for a total value of \$383,940.00. This amount, multiplied by the accepted rate of 5%, is considerably greater than the amount bid by the applicant, even with royalties. Pursuant to Board Policy, the applicant's bid of \$2,000.00 plus royalties, can only be accepted if a termination clause is included in the lease document. This is a unique agriculture situation where no ground disturbance is anticipated and the current grazing permittee is being allowed to use the ground. The applicant's offer of \$2,000.00 plus royalties anticipated to equal up to an additional \$5,000.00 per year is equal to comparable agricultural lease rates in the area, and the applicant has agreed to a termination clause after the first five years of the lease. The applicant's bid of \$2,000.00 plus royalties, therefore, satisfies R850-30-400(2).

The fees which are due prior to the issuance of a lease are as follows:

Application fee:	\$ 250.00
Advertising	\$ 151.20
Lease processing	\$ 700.00
<u>First Year's Rental</u>	<u>\$2,000.00</u>
Total	\$3,101.20

As there were no competing applications, this action does not warrant the time and expense necessary to complete a full narrative record of decision.

The requested term of the lease is 15 years. The lease will contain language allowing for a rental review every five years. The lease will contain a termination clause after five years allowing for the termination of the lease with three months written notice. The lease will contain a clause expressly allowing oil and gas developments to proceed on the subject property unimpeded. The beginning date of this lease will be June 1, 2008. The expiration date of this lease will be May 31, 2023. The first rental review will be due June 1, 2013. Based on this evaluation, this summary will constitute the record of decision.

Upon recommendation of Mr. Scott Chamberlain, the Director approved SULA 1578.

**SPECIAL USE LEASE AGREEMENT NO. 1167 (ADMENDMENT #3)**

Special Use Lease Agreement No. 1167 ("SULA 1167") is leased to Offshore Marina Inc., HCR 60, Box 330330, Lake Powell, Utah 84533, for the purposes of a boat storage and repair facility, service station, convenience store, and related facilities.

Pursuant to Paragraph 3 of SULA 1167, the Lessee presently pays a 3% royalty rate on gross receipts as defined in the contract for all sales generated on the property, which percentage is also applied to fuel sales. Due to recent trends in gas prices, the parties desire to remove sales of all sold fuel from the applicable royalty provision, assigning instead a fixed four cents (\$.04) per gallon on all fuel sold on the property. This change should make things more fair and equitable regarding the profits being distributed respectively when gasoline is sold. The term of this amendment will expire December 31, 2008.

Upon recommendation of Mr. Bryan Torgerson, the Director approved the amendment of SULA 1167.

**SPECIAL USE LEASE AGREEMENT NO. 949 (FIVE-YEAR REVIEW AND AMENDMENT)**

SULA 949 is leased to Roger C. Randolph, Box 2193 – Ticaboo, Lake Powell, UT 84533-9701. This is a residential lease for a home in Garfield County.

1. **FIVE-YEAR REVIEW AND AMENDMENT TO LEGAL DESCRIPTION:**

The five-year review date for this lease is May 1, 2008. The review was completed in January of 2008, which indicated that the lease fees would significantly increase based on current market value of the land. As a result of this review, staff met with the lessee to discuss options and determine how to deal with the increase. It was determined that the lessee would request that the lease be amended to reduce the acreage from 40.00 acres to 20.00 acres. Reducing the acreage would require a zone change with Garfield County to stay in compliance with the zoning ordinance. This zone change was approved by the Garfield County Planning Commission on May 21, 2008. The lessee has formally requested, in writing, that the lease be amended. This will change the legal description from:

T34S, R12E, SLB&M

Section 32: E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

To the following:

T34S, R12E, SLB&M

Section 32: NE  $\frac{1}{4}$  NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW  $\frac{1}{4}$  NE $\frac{1}{4}$ NE $\frac{1}{4}$

The acreage on the lease will be reduced from 40.00 acres to 20.00 acres, and the new fee will be \$1,380.00, effective May 1, 2008. The \$400.00 amendment fee has been received.

This acreage encompasses all of the improvements on the land authorized under the lease.

New acreage in lease: 20.00

New annual rental: \$1,380.00

Rental per acre: \$69.00

2. **DUE DILIGENCE:**

The development allowed by the lease has occurred. It is recommended that the lease be kept in force.

**SPECIAL USE LEASE AGREEMENT NO. 949 (FIVE-YEAR REVIEW AND AMENDMENT) (CONTINUED)**

3.     **PROPER USE:**  
The lease premises are being used in accordance with the lease agreement.
4.     **ADEQUATE INSURANCE AND BOND COVERAGE:**  
The lessee has provided documentation that he has insurance as required by the lease agreement. The lease allows for a bond to be required any time during the lease at the discretion of the Agency. It has been determined that a bond is not required at this time.
5.     **ESTABLISHMENT OF WATER RIGHTS:**  
There are no water rights associated with this lease.
6.     **POLLUTION AND SANITATION REGULATIONS:**  
The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations as prescribed by any governmental agency having jurisdiction. There is no evidence of underground storage tanks on the premises.
7.     **NEXT ASSESSMENT DATE:**  
The next assessment date is May 1, 2013.

Although lease amendments are not specifically exempted from the narrative record of decision process, it has been determined that this action is not substantive, nor does it warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Lou Brown, the Director approved the five-year review and amendment of SULA 949.

**SPECIAL USE LEASE AGREEMENT NO. 1183 (FIVE-YEAR REVIEW)**

SULA 1081 is leased to Garfield County, P. O. Box 77, Panguitch, UT 84759. This is a government lease for the Bryce Canyon Airport Runways and Facilities in Garfield County. School Fund.

1.     **ANNUAL RENTAL:**  
The five-year review date for this lease is August 1, 2008. The subject property is used for the Bryce Canyon Airport Runways and Facilities. Based on an analysis of the lease rental pursuant to Board policy, it has been determined that an appraisal is not warranted. The CPI adjusted rental is greater than the preliminary market value rental estimate. Therefore, it is recommended that the CPI index be used to adjust the annual rental from \$9,413.57 per year to \$10,900.00 per year, effective August 1, 2008. A certified notice was sent to inform the lessee of the date of this action and the right to oppose and/or appeal the action. No response was received.  
  
New lease fee: \$10,900.00  
Acres in lease: 216.56  
Rental per acre: \$50.33
2.     **DUE DILIGENCE:**  
The development allowed by the lease has occurred. It is recommended that the lease be kept in force.
3.     **PROPER USE:**  
The leased premises are being used in accordance with the lease agreement.

**SPECIAL USE LEASE AGREEMENT NO. 1183 (FIVE-YEAR REVIEW) (CONTINUED)**

4.     **ADEQUATE INSURANCE AND BOND COVERAGE:**  
The lessee has provided proof of insurance as required by the lease agreement. The lease allows for a bond to be required any time during the lease at the discretion of the Agency. It has been determined that a bond is not required at this time.
5.     **ESTABLISHMENT OF WATER RIGHTS:**  
There are no water rights associated with this lease.
6.     **POLLUTION AND SANITATION REGULATIONS:**  
The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations as prescribed by any governmental agency having jurisdiction. There is no evidence of underground storage tanks on the premises.
7.     **NEXT ASSESSMENT DATE:**  
The next assessment date will be on August 1, 2013.

Upon recommendation of Mr. Lou Brown, the Director approved the five-year review for SULA 1183.

**SPECIAL USE LEASE AGREEMENT NO. 1445 (THREE-YEAR REVIEW)**

SULA 1445 is leased to Brenda Woodward, Kenneth Valdez, and Harry Brown, P. O. Box 517, East Carbon, UT 84520. This is a residential lease for a recreational cabin site in Carbon County. School Fund.

1.     **ANNUAL RENTAL:**  
The three-year review date for this lease is July 1, 2008. The subject property is used for a recreational cabin site. Based on an analysis of the lease rental pursuant to Board policy, it has been determined that an appraisal is not warranted. The CPI adjusted rental is greater than the preliminary market value rental estimate. Therefore, it is recommended that the CPI index be used to adjust the annual rental from \$1,000.00 per year to \$1,090.00 per year effective July 1, 2008. A certified notice was sent to inform the lessee of the date of this action and the right to oppose and/or appeal the action. No response was received.  
  
New lease fee: \$1,090.00  
Acres in lease: 20.00  
Rental per acre: \$54.50
2.     **DUE DILIGENCE:**  
The development allowed by the lease is occurring. Cleanup of the site and cabin area is ongoing. An application for a well and water right have been filed and a well will be drilled upon approval from the Division of Water Rights. It is recommended that the lease be kept in force.
3.     **PROPER USE:**  
The leased premises are being used in accordance with the lease agreement.
4.     **ADEQUATE INSURANCE AND BOND COVERAGE:**  
Insurance coverage is required by the lease agreement and documentation has been requested from the lessee. The lease allows for a bond to be required any time during the lease at the discretion of the Agency. It has been determined that a bond is not required at this time.

**SPECIAL USE LEASE AGREEMENT NO. 1445 (THREE-YEAR REVIEW) (CONTINUED)**

5. ESTABLISHMENT OF WATER RIGHTS:

Applications for a water right and permit to drill a well have been filed with the Division of Water Rights. This application is in the name of the Trust Lands Administration. Upon approval, a water right number will be assigned and a well drilled to perfect the right.

6. POLLUTION AND SANITATION REGULATIONS:

The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations as prescribed by any governmental agency having jurisdiction. There is no evidence of underground storage tanks on the premises.

7. NEXT ASSESSMENT DATE:

The next assessment date will be July 1, 2011.

Upon recommendation of Mr. Lou Brown, the Director approved the three-year review for SULA 1445.

**MEMORANDUM OF UNDERSTANDING**

**EXECUTION OF MEMORANDUM OF UNDERSTANDING AND DISPERSAL OF FUNDS TO DUCHESNE COUNTY**

The School and Institutional Trust Lands Administration ("SITLA") and Duchesne County (the "County") will enter into a Memorandum of Understanding ("MOU") concerning SITLA's contribution of funds to the County for an access road upgrade project intended to facilitate access to mineral development on trust lands located in Gate Canyon in southern Duchesne County. SITLA agrees to grant to the County ONE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$100,000.00) for the cost associated with the road improvements to be deposited with the County within thirty (30) days of the execution of the MOU. The funds will come from SITLA's 3% mineral revenue administration fee account.

Upon recommendation of Mr. Christy, the Director approved the execution of the MOU between SITLA and Duchesne County and the dispersal of funds to the County.

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**DEVELOPMENT ACTIONS**

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**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND PATENT ISSUED FOR:

SUBD 10.0 Highland Park Phase 1 Subdivision

This transaction has been executed pursuant to Development Lease DEVL 610.

**LEGAL DESCRIPTION: (SUBDIVISION)**

Section 7, Township 42.0 S, Range 14.0 W, SLBM

Section 18, Township 42.0 S, Range 14.0 W, SLBM

**PURCHASER:**

GOLDEN HERITAGE HOMES, INC.

2303 N. CORAL CANYON BLVD., SUITE 200

ST. GEORGE, UT 84780

**LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 179	26377-10-179	05/27/08	19928-10-179	07/07/06	\$16,848.53	\$20.00	0.17	SCH	7

**LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

*This item was submitted for record-keeping purposes by Amera Musial.*

**RIGHT OF ENTRY 5171 – PROGRESSIVE CONTRACTING, INC.**

THE FOLLOWING RIGHT OF ENTRY AND GRADING AGREEMENT HAS BEEN EXECUTED:

RIGHT OF ENTRY NO.: 5171  
PROJECT: Sienna Hills Parcel 18  
PROJECT CODE: MPI13 001 00 018 000  
PROJECT MANAGER: Aaron Langston  
DATE OF TRANSACTION: May 28, 2008  
COUNTY: Washington  
FUND: School  
COMMENCEMENT: May 5, 2008  
EXPIRATION: November 5, 2008  
TOTAL PAYMENT: \$300.00

## PERMITTEE:

Progressive Contracting, Inc.  
230 E. Tabernacle  
St. George, UT 84770

## DESCRIPTION OF TRANSACTION:

On May 28, 2008, in consideration for payment of Three Hundred Dollars (\$300.00), which includes a \$50.00 application fee, the Trust and Progressive Contracting, Inc., a Utah corporation authorized to do business in the State of Utah (hereinafter "Permittee"), entered into an agreement that authorizes Permittee to occupy the trust land described below to use as a staging area for nearby trail construction needs, including construction vehicles and supplies (the "Permitted Use").

## LEGAL DESCRIPTION:

Township 42 South, Range 15 West, SLB&M  
Section 13: Within

Containing approximately 1.75 acres.

NUMBER OF ACRES BY COUNTY: 1.75 acres - Washington County

NUMBER OF ACRES BY FUND: 1.75 acres - School

Upon recommendation of Aaron Langston, the Director approved this transaction.



**DEVELOPMENT SALE - FORT PIERCE INDUSTRIAL (PS 7535)**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR FORT PIERCE BUSINESS PARK:

CERTIFICATE OF SALE NO.:	24911
CERTIFICATE/DATE OF SALE:	May 15, 2008
PATENT NO.:	19757
PATENT DATE:	May 09, 2008
PROJECT:	Fort Pierce Industrial
PROJECT MANAGER:	Doug Buchi
PROJECT CODE:	FPIND 001 00
FUND:	School
SALE PRICE:	\$220,545.00

**BUYER:**

JAMES AND CINDE BROWN LEASING, LLC  
 a Utah limited liability company  
 3723 South 1550 East  
 St. George, UT 84790

**FINANCIAL INFORMATION:**

At closing, the purchase price has been paid to Ft. Pierce Business Park, L.C., for distribution pursuant to the Operating Agreement dated October 1, 1998, between the Trust Lands Administration and LGJ. The documentation of this transaction is available in the Trust Lands' Planning and Development files.

**TRANSACTIONAL CONTEXT:**

This sale has been made pursuant to the Operating Agreement for Ft. Pierce Business Park, L.C. ("L.C.") of which LGJ, L.C. and the Trust Lands Administration are the sole members (DEVL 21). To finance development, Ft. Pierce Business Park has entered into a loan agreement with the City of St. George and Dixie-Escalante Rural Electric Association, Inc. Twenty-four percent (24.00%) of the sales proceeds, after deducting closing costs and business expenses, are used to service the loan. The balance of the sales revenue is distributed to the members according to their participation in the L.C. (LGJ, L.C. - 30%, Trust Lands Administration - 70%).

**LEGAL DESCRIPTION OF SALE PARCEL:**

Township 43 South, Range 15 West, SLB&M  
 Section 19: (Within)

Beginning at a point North 1°10'51" East 1008.64 feet along the Section Line and North 90°00'00" West 1211.79 feet from the East 1/4 Corner of Section 19, Township 43 South, Range 15 West, Salt Lake Base and Meridian and running thence South 36°08'44" West 231.49 feet; thence North 58°13'48" West 198.14 feet on a radial bearing to a point on a 1410.00 foot radius curve to the right (bearing to radius point is S 58°13'48" E); thence Northeasterly through a central angle of 8°56'27" and 220.03 feet along the arc of said curve to the point of a 45.00 foot radius compound curve to the right; thence Northeasterly through a central angle of 89°33'38" and 70.34 feet along the arc of said curve to the point of a 3000.00 foot radius compound curve to the right; thence Southeasterly through a central angle of 2°51'41" and 149.82 feet along the arc of said curve to the point of beginning.

Containing 1.131 acres, more or less.

This property has proposed Lot Number 138. Upon filing of a plat, a formal lot number will be assigned.

**DEVELOPMENT SALE - FORT PIERCE INDUSTRIAL (PS 7535) (CONTINUED)**

NUMBER OF ACRES BY COUNTY: 1.131 acres - Washington County

NUMBER OF ACRES BY FUND: 1.131 acres - School

**MINERAL RESERVATIONS:**

Excepting and reserving to the State all coal, gas, oil, hydrocarbons, and other mineral deposits, along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits as provided by statute.

**SURFACE RESERVATIONS:**

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for roads, ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute; also,

Subject to the Effect of the Covenants, Conditions and Restrictions recorded May 11, 1999, as Entry No. 646930, in Book 1333, at Pages 1234-1244, and Declaration of Annexation thereto recorded December 28, 1999, as Entry No. 671704, in Book 1355, at Page 2295, and Amendment thereto recorded April 5, 2002, as Entry No. 760033, in Book 1459, at Pages 2588-2589, and Second Amendment thereto recorded June 3, 2002, as Entry No. 767360, in Book 1468, at Pages 1358-1370, and Third Amendment thereto recorded June 10, 2005, as Entry No. 950528, in Book 1753, at Pages 1497-1518, and Fourth Amendment thereto recorded May 2, 2006, as Document No. 20060017587, Official Washington County Records (affects this and other property); also,

Subject to the following "Notes", Easements, and Information as set forth on the face of the Official Plat of "FORT PIERCE AREA '2' STREET DEDICATIONS":

- a. A 15.0 foot public utility and drainage easement shall exist along all street frontages as noted and 25.0 feet along the 1630 East Street West frontage as noted.
- b. All future parcels being created abutting these roadways are required to have the property corners staked prior to obtaining a building permit.
- c. GEOTECHNICAL NOTE: A geotechnical report has been done on this area by GTS Project No. 18106 on February 21, 2005, and report is available from the City of St. George or the Developer. The information is general information and a full geotechnical report should be obtained for each parcel of property at time of development; also,

Subject to a 15.0 foot P.U.E. and drainage easement as set forth and located on 'FORT PIERCE AREA '2' STREET DEDICATIONS Roadway Dedication Map recorded as Doc No. 20080004930, Official Washington County Records (affects the Northeasterly and Northwesterly 15.0 feet, as it abuts "Quality Drive" and "Progress Drive"); also,

Subject to and reserving unto the State of Utah and its assigns: a 15.00 foot wide utilities and drainage easement along the West and North Boundary lines and a 10.00 foot wide utilities and drainage easement along the East and South Boundary lines.

MINERAL LEASES CANCELED: None

SURFACE LEASES CANCELED: None

*This item was submitted by Andrea L. James for record-keeping purposes.*

**CORRECTION TO SPECIAL USE LEASE AGREEMENT NO. 418**

IN THE DIRECTOR'S MINUTES OF MAY 9, 2009, PAGE 38, **THE RENTAL FEES** WERE REPORTED INCORRECTLY AND HAVE BEEN CORRECTED AS SHOWN:

SULA 418 is an industrial lease issued to Cook Associates, Inc. 631 Sixteenth Avenue, Salt Lake City, Utah 84103. The lease site is located in Utah County. School Fund

The five-year lease rental review date for this industrial lease is June 1, 2008. The subject property is leased for a packaged slurry products (explosives) manufacturing site and buffer area. The lease agreement provides for five-year adjustments in the annual rental amount. To determine fair market value, an independent third-party appraisal was done on April 27, 2004, updated on February 15, 2007, and again on October 9, 2007. Using the results of the last appraisal update, the annual rental will be changed to **\$1,275,410.00**, effective June 1, 2008. A certified notice of Final Agency Action was sent to the lessee on April 30, 2008, to inform the lessee of the new annual rental amount.

Appraised Land Value: \$26,400,000 (Based on \$55,000.00 per acre)

New Annual Rental Amount: **\$1,275,410.00**

Acres in Lease: 480

New Annual Base Rental Amount per Acre: **\$2,657.10**

Upon recommendation of Elise Erler, the Director approved the above correction.

**CORRECTION TO DEVELOPMENT SUBDIVISION SALES**

In the May 30, 2008, Director's Minutes, Page 26 and 27, a certificate number was reported incorrectly. The correction is bolded below.

SUBD 14.0 Casitas at Hidden Valley

These transactions have been executed pursuant to Development Lease DEVL 754.

**LEGAL DESCRIPTION: (SUBDIVISION)**

Section 7, Township 43.0 S, Range 15.0 W, SLBM

Section 18, Township 43.0 S, Range 15.0 W, SLBM

**PURCHASER:**

IVORY SOUTHERN, LLC

3143 SOUTH 840 EAST

SAINT GEORGE, UT 84790

**LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 103	26419-14-103	05/06/08	19990-14-103	01/31/07	\$13,139.98	\$100.00	0.04	SCH	18
Lot 104	<b>26419-14-104</b>	05/06/08	19990-14-104	01/31/07	\$10,499.98	\$100.00	0.03	SCH	18

**LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**CORRECTION TO DEVELOPMENT SUBDIVISION SALES - CASTIAS AT HIDDEN VALLEY  
(CONTINUED)**

LIST SURFACE RESERVATIONS:

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

*This item was submitted for record-keeping purposes by Amera Musial.*

**CORRECTION**

**SUBDIVISION SETUP (SUBD NO. 10) AND FUND EXCHANGE (EXCH NO. 330)**

IN THE DIRECTOR'S MINUTES OF MAY 9, 2008, PAGES 35 THROUGH 37, **THE BENEFICIARY OWNERSHIP** WAS REPORTED INCORRECTLY AND HAS BEEN CORRECTED AS SHOWN:

SUBD NO.: 10.0

SUBD NAME: HIGHLAND PARK PHASE 1 SUBDIVISION

DEVELOPER:

GOLDEN HERITAGE HOMES, INC.,  
ALSO KNOWN AS  
SUNCOR UTAH, INC.  
2250 N. Coral Canyon Blvd., Ste. 200  
Washington, UT 84780

BUYER:

GOLDEN HERITAGE HOMES, INC.,  
ALSO KNOWN AS  
SUNCOR UTAH, INC.  
2250 N. Coral Canyon Blvd., Ste. 200  
Washington, UT 84780

LEGAL DESCRIPTION:

Township 42.0 S, Range 14.0 W, SLBM  
Sections 7 and 18:

Beginning at a point which is North 01°21'51" East 2227.80 feet along the West Section line of Section 8, and North 90°00'00" West 1028.98 feet from the Southwest corner of Section 8, Township 42 South, Range 14 West Salt Lake Base and Meridian, said point also being the Southerly corner of Coral Canyon Area 6 Phase 1 Subdivision; running thence along said boundary line North 55°23'17" East 368.12 feet to a Westerly Corner of Coral Canyon Area 6 Phase 2 Subdivision; thence along the Southwesterly boundary line of said subdivision in the following three (3) courses: South 48°05'26" East 305.64 feet; thence South 00°29'54" West 367.27 feet; thence South 53°25'59" East 271.42 feet to a point on the Northwesterly Right-of-Way line of Coral Canyon Blvd. thence along said right of way in the following three (3) courses: said point also being a point of curvature of a 1835.00 foot radius curve concave to the left, the radius point of which bears South 53°25'59" East; thence

**SUBDIVISION SETUP (SUBD NO. 10) AND FUND EXCHANGE (EXCH NO. 330) (CONTINUED)**

Southwesterly 868.20 feet along the arc of said curve through a central angle of 27°06'31"; thence South 09°27'29" West 127.44 feet to a point of curvature of a 535.00 foot radius curve concave to the left; thence Southwesterly 130.54 feet along the arc of said curve through a central angle of 13°58'47" to a point of non tangency of which the radius point bears North 85°28'42" East, said point also being the Northerly corner of the Coral Canyon Sewer Lift Station Boundary; thence along said lift station boundary for the following four (4) courses: South 14°55'55" West 123.41 feet; thence South 53°44'24" West 57.36 feet; thence South 14°55'55" West 100.53 feet; thence South 23°14'27" East 28.22 feet to a point on the Northerly Right-of-Way line of Telegraph Road - Phase II recorded on January 8, 2001, as Entry No. 706703, in Book 1394, Page 247, in the office of the Washington County Recorder, in said County, in the State of Utah; thence along said Right-of-Way line in the following twelve (12) courses: South 65°49'11" West 94.64 feet; thence North 24°10'49" West 35.00 feet; thence South 65°49'11" West 955.55 feet to a point of curvature of a 1412.33 foot radius curve concave to the left; thence Southwesterly 419.81 feet along the arc of said curve through a central angle of 17°01'52" to the point of tangency; thence South 48°47'18" West 259.47 feet to a point curvature of a 884.25 foot radius curve concave to the right; thence Southwesterly 300.98 feet along the arc of said curve through a central angle of 19°30'08" to the point of tangency; thence South 68°17'26" West 218.69 feet; thence South 01°30'23" West 38.08 feet; thence South 68°17'26" West 262.83 feet; to a point of curvature of a 1247.33 foot radius curve concave to the right; thence Southwesterly 311.83 feet along the arc of said curve through a central angle of 14°19'25" to the point of tangency; thence South 82°36'51" West 645.70 feet to a point of curvature of a 918.02 foot radius curve concave to the left; thence Southwesterly 580.42 feet along the arc of said curve through a central angle of 36°13'32" to a point of non-tangency the radius point of which bears North 43°36'41" West to a point on the Coral Canyon Lease Agreement Property Boundary; thence along said boundary in the following eighteen (18) courses: North 07°27'01" East 362.75 feet; thence North 23°37'27" East 360.25 feet; thence North 14°28'10" East 304.43 feet; thence North 07°20'30" East 477.09 feet; thence North 21°09'00" East 987.69 feet; thence North 38°36'52" East 411.42 feet; thence North 29°42'15" East 384.05 feet; thence North 36°08'23" East 220.08 feet; thence North 21°32'45" East 243.06 feet; thence North 37°11'51" East 162.48 feet; thence North 07°08'11" East 258.29 feet; thence North 22°11'51" West 213.85 feet; thence North 72°56'16" East 685.35 feet; thence North 40°27'03" East 267.97 feet a point of curvature of a 467.00 foot radius curve concave to the left; thence along the arc of said curve 264.03 through a central angle of 32°21'32" to a point on a radial line; thence South 81°54'29" East 65.00 feet; thence South 63°58'55" East 68.71 feet; thence South 67°54'54" East 825.18 feet to a point on the Westerly boundary line of the said Coral Canyon Area 6 Phase 1 Subdivision; thence along said boundary line in the following four (4) courses: South 39°10'50" West 249.35 feet; thence South 00°00'00" West 237.97 feet; thence South 30°28'39" East 289.60; thence South 39°29'10" East 273.52 feet to the point of beginning.

CONTAINS 232.66 ACRES.

NUMBER OF ACRES BY COUNTY: 232.66 acres - Washington County

NUMBER OF ACRES BY FUND:     **149.05 acres - School**  
   **74.68 acres - Miners Hospital**  
   **8.93 acres - Utah State University**

**FUND EXCHANGE (EXCH 330):**

Highland Park Phase I Subdivision is a multiple Beneficiary subdivision within the Coral Canyon Development. This subdivision has been unitized based on the acreage contributed by each Beneficiary as follows:

**64.06 % - School**  
**32.10 % - Miners Hospital**  
**3.84 % - Utah State University**

**SUBDIVISION SETUP (SUBD NO. 10) AND FUND EXCHANGE (EXCH NO. 330) (CONTINUED)****LAND CONVEYED BY PLAT:**

All public streets and parks shown, or referenced as such, on the plat were dedicated and conveyed to Washington City, as well as each public utility providing utility services, non-exclusive easements for installation and maintenance of public utilities and drainage facilities over, on, under, and across the utility easements as shown on the plat, as well as over, on, under, and across all Open Space tracts, and also drainage easements only over, on, under, and across all open space parcels. Acreage breakdown for the above mentioned is as follows: Streets - 23.39 acres, Highland Park Parcel I - 7.17 acres.

**LIST MINERAL RESERVATIONS:**

Excepting and reserving all coal and other mineral deposits (other than oil and gas, which was previously reserved to the United States) along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to any valid, existing easement or rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by authority of the United States as provided by Statute.

*This item was submitted for record-keeping purposes by Amera Musial.*

**EASEMENT AGREEMENT (PRED 728)**

THE FOLLOWING EASEMENT WAS GRANTED TO TRUST LANDS ADMINISTRATION BY KEVIN WALKER:

PROJECT:	Lemon Lane
PROJECT MANAGER:	Rodger Mitchell
PROJECT CODE:	LEMLN 000 00
FUND:	School
COUNTY:	Grand
DATE OF EASEMENT AGREEMENT:	April 25, 2008

**GRANTOR:**

KEVIN WALKER  
An Individual  
4746 Calle Camarada  
Santa Barbara, CA 93110

**LEGAL DESCRIPTION:**

Township 26 South, Range 22 West, SLB&M  
Section 21: (within)

A right-of-way easement lying within Lot 2 of Kevin Walker Estates Subdivision located in the southwest quarter of Section Twenty-One (21), Township Twenty-Six South (T26S), Range Twenty-Two East (R22E), SLM, Grand County, Utah, described as follows: Beginning at a point on the section line common to said Sections 21 and 28, from which the BLM brass capped monument set for the section corner common to Sections 21, 22, 27, and 28, T26S, R22E, SLM, in 1955, bears North 89°45'13" East, 1887.65 feet; Thence along a non-tangent curve having a radius of 67.00 feet through a central angle of 3°18'52" for an arc length of 3.88 feet and having a chord that bears North 21°57'20" West, 3.88 feet; Thence North 20°17'54" West, 189.74 feet to a point on the existing 66 foot wide right-of-way easement; Thence along said existing 66 foot wide easement the following courses:

**EASEMENT AGREEMENT (PRED 728) (CONTINUED)**

1) South 52°07'02" West, 32.55 feet; 2) North 37°38'58" West, 131.13 feet; Thence along a non-tangent curve having a radius of 117.00 feet through a central angle of 15°16'59" for an arc length of 31.21 feet and having a chord that bears South 27°56'24" East, 31.12 feet; Thence South 20°17'54" East, 253.97 feet to a point on said common section line of Sections 21 and 28; Thence along said section line North 89°45'13" East, 70.38 feet to the point of beginning. Containing 0.31 acres, more or less.

**DESCRIPTION OF TRANSACTION:**

Kevin Waller has granted Trust Lands this easement for \$40,000. This easement will provide secondary access to the Lemon Lane Development Parcel, thus increasing its development value.

Upon recommendation of Rodger Mitchell, the Director accepted this easement.

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**ACTIONS CONTAINING FEE WAIVERS**

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**NONE**